

THIS INSTRUMENT PREPARED BY:
William M. Phillips, Jr., Esquire
Lange, Simpson, Robinson &
Somerville
1700 First Alabama Bank Building
Birmingham, Alabama 35203

SEND TAX NOTICE TO:
Daniel L. Gardner and
Patricia Gardner
128 Shelby County Hwy. 83
Harpersville, Alabama 35078

WARRANTY DEED

STATE OF ALABAMA)
SHELBY COUNTY)

KNOW ALL MEN BY THESE PRESENTS: That in consideration of Fifty Thousand and No/100 (\$50,000.00) DOLLARS and other good and valuable consideration, to the undersigned Grantor, in hand paid by the Grantees herein, the receipt whereof is acknowledged, I

Judy D. Edwards, a single person

(herein referred to as "Grantor"), do grant, bargain, sell, and convey unto

Daniel L. Gardner and Patricia Gardner, husband and wife

(herein referred to as "Grantees"), as joint tenants with right of survivorship, the following described real estate, situated in Shelby County, Alabama, to-wit:

See Exhibit "A" attached hereto and incorporated herein by reference.

JUDY D. EDWARDS IS THE SURVIVING GRANTEE IN THAT CERTAIN DEED RECORDED IN REAL 336, PAGE 985, THE OTHER GRANTEE, ROBERT CECIL DYER, SR. HAVING DIED ON JANUARY 12, 1993.

TO HAVE AND TO HOLD unto the Grantees as joint tenants, with right of survivorship, their heirs and assigns forever; it being the intention of the parties to this conveyance, that (unless the joint tenancy hereby created is severed or terminated during the joint lives of the Grantees herein) in the event one Grantee herein survives the other, the entire interest in fee simple shall pass to the surviving Grantee, and if one does not survive the other, then the heirs and assigns of the Grantees herein shall take as tenant in common.

And I do, for myself and for my heirs, executors, administrators and assigns covenant with the Grantee, her heirs, executors, administrators and assigns, that I am lawfully seized in fee simple of said premises; that said premises are free from all encumbrances, unless otherwise noted above; that I have a good right to sell and convey the same as aforesaid; that I will and my heirs, executors, and administrators shall warrant and defend the same to the Grantee, her heirs, executors, administrators and assigns forever, against the lawful claims of all persons.

Inst # 1996-00888

01/10/1996
12:35 PM
SHELBY COUNTY JUDGE OF PROBATE
003 MCD 14.00
CERTIFIED

IN WITNESS WHEREOF, I have hereunto set my hand and seal as of the 5th day of January, 1996.

Judy D. Edwards (Seal)
Judy D. Edwards

STATE OF ALABAMA)
JEFFERSON COUNTY)

GENERAL ACKNOWLEDGMENT

I, the undersigned Notary Public in and for said County in said State, hereby certify that Judy D. Edwards, a single person, whose name is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day that, being informed of the contents of the conveyance, she executed the same voluntarily on the day the same bears date.

Given under my hand and official seal as of the 5th day of January, 1996.

Wm M Phillips
Notary Public
My Commission Expires: 11/30/97

EXHIBIT "A"

A tract of land situated in the NE 1/4 of Section 28, Township 19 South, Range 2 East, Shelby County, Alabama, more particularly described as follows:

Commence at the point of intersection of the Southeasterly line of the Southern Railroad right of way and the West right of way of Shelby County Highway No. 83 and run South 9 degrees 38 minutes 06 seconds East along said West right of way line of Shelby County Highway No. 83 for a distance of 210.00 feet to the point of beginning; thence continue along the last stated course for a distance of 563.01 feet to a point; thence run South 79 degrees 56 minutes 07 seconds West for a distance of 201.98 feet to the Northeast corner of Lot 1, Clearview Estates as recorded in Map Book 7, page 43 in the Probate Office of Shelby County, Alabama; thence run South 86 degrees 30 minutes West along the Northerly line of Lots 1, 2, 3, 4, 5 and 6 for a distance of 1349.27 feet to its intersection with the Southeasterly right of way line of the Southern Railroad right of way; thence run North 57 degrees 23 minutes 29 seconds East and along said railroad right of way for a distance of 1183.15 feet to the (Point of Curve) of a curve to the right; thence in the arc of said curve, having a radius of 5579.65 feet and a central angle of 2 degrees 48 minutes 40 seconds and along said right of way for a distance of 273.76 feet to a point; thence run South 9 degrees 38 minutes 06 seconds East for a distance of 207.35 feet to a point; thence run North 81 degrees 31 minutes 46 seconds East for a distance of 210.00 feet to the point of beginning.

SUBJECT TO:

1. Ad Valorem taxes for the year 1996 and subsequent years not yet due and payable.

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